

Applic. No. 10/539,761
Amdt. dated February 14, 2008
Reply to Office action of November 14, 2007

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-9 are now in the application. Claims 1-5 have been amended. Claims 7-9 are being added. Support for claim 7 can be found on page 1, second paragraph of the specification. Support for claims 8 and 9 can be found on page 6, lines 1-5 of the specification. No new matter has been added.

In item 3 on page 2 of the above-identified Office action, claims 1, 2, and 4 have been rejected as being fully anticipated by Zielke (WO 99/65128) under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on pages 5 and 6 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

Applic. No. 10/539,761

Amdt. dated February 14, 2008

Reply to Office action of November 14, 2007

a mixture of first granules and second granules, the first granules defining first subvolumes and the second granules defining second subvolumes, the first granules having an increased electrical conductivity with respect to the second granules.

It is noted that the corporate assignee of the Zielke reference is also the assignee of the instant application. Furthermore, Mr. Zielke is the sole inventor of the reference and the instant application. Therefore, applicant is very familiar with the Zielke reference.

The Zielke reference discloses a readily molded insulating material piece, which is subjected to treatment with high-energy radiation so that treated surface regions of the insulating material piece have a higher conductivity than those surface regions of the insulating material piece that were not subjected to radiation. In this case, those regions of the surface that are subjected to increased dielectric stress during operation are indicated as sections that were treated.

Zielke discloses that entire surface areas of the insulating material are treated with β or γ radiation. The entire surface

Applic. No. 10/539,761
Amdt. dated February 14, 2008
Reply to Office action of November 14, 2007

areas are thereby modified in view of their atomic compounds so that entire surface areas are influenced disadvantageously in their mechanical stability.

The mixture as recited in the claims of the instant application permits the mixing of the granulate of the first subvolume with the second subvolume and thus the creation of sections that also have an increased electrical conductivity but at least partially (in the area of the granulate of the untreated subvolume) have their original binding structure. These areas have a better mechanical load capacity than insulating materials treated according to the Zielke reference. The mixture of subvolumes results in an advantageous structure in view of mechanical power of resistance as well as in view of their electrical properties.

Zielke discloses subjecting an already readily formed insulating material to radiation, which leads inevitably to a disadvantageous impact on mechanical properties since a differentiation of individual subvolumes is not possible in the area of an irradiated section.

The reference does not show a mixture of first granules and second granules, the first granules defining first subvolumes and the second granules defining second subvolumes, the first

Applic. No. 10/539,761
Amdt. dated February 14, 2008
Reply to Office action of November 14, 2007

granules having an increased electrical conductivity with respect to the second granules, as recited in claim 1 of the instant application. The Zielke reference discloses that surface areas of an insulating material are treated with radiation. Zielke does not disclose that the insulating component is a mixture of first and second granules, where the first granules have a higher conductivity than the second granules. This is contrary to the invention of the instant application as claimed, which recites a mixture of first granules and second granules, the first granules defining first subvolumes and the second granules defining second subvolumes, the first granules having an increased electrical conductivity with respect to the second granules.

In item 4 on page 4 of the above-identified Office action, claims 5 and 6 have been rejected as being fully anticipated by Graf (CH 653 477) under 35 U.S.C. § 102.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 5 calls for, *inter alia*:

treating the first granules for providing an increased electrical conductivity thereof with respect to said second

Applic. No. 10/539,761

Amdt. dated February 14, 2008

Reply to Office action of November 14, 2007

granules, mixing the treated first granules with the untreated second granules, and shaping the mixture so as to produce an insulating material piece.

Graf discloses producing an insulating material piece nozzle (10) which is formed of a thermoplastic, duroplastic, synthetic resin or a sintered plastic material. These materials are all insulating materials, so that the nozzle (10) must be considered as an insulating material piece.

Furthermore, at lines 62-64, column 2 Graf explicitly discloses inserting a filler or filler material into the nozzle (10) for absorbing electromagnetic radiation.

Materials for absorbing electromagnetic radiation, that is, high-energy radiation are typically not insulating materials. Graf discloses that powder of a metal or a mixture of several metals can be used as filler material. Metals listed are, for example, tungsten, copper, aluminum or iron (column 3, lines 9-17).

Accordingly, Graf discloses the interspersing of insulating material with metals for shielding against electromagnetic radiation, which comes from an (electric) arc. Graf does not disclose forming an insulating material, which has a mixture of a first subvolume and a second subvolume, where at least

Applic. No. 10/539,761
Amdt. dated February 14, 2008
Reply to Office action of November 14, 2007

one of the subvolumes has been treated for increasing the electrical conductivity.

The reference does not show treating the first granules for providing an increased electrical conductivity thereof with respect to said second granules, mixing the treated first granules with the untreated second granules, and shaping the mixture so as to produce an insulating material piece, as recited in claim 5 of the instant application. Graf discloses that a filler material is added into the nozzle. Graf does not disclose a treatment step for increasing the conductivity of the filler material. This is contrary to the invention of the instant application as claimed, which recites treating the first granules for providing an increased electrical conductivity thereof with respect to said second granules, mixing the treated first granules with the untreated second granules, and shaping the mixture so as to produce an insulating material piece.

Since claim 5 is allowable over Graf, dependent claims 6-8 are allowable over Graf as well.

In item 6 on page 5 of the above-identified Office action, claim 3 has been rejected as being fully anticipated by Zielke (WO 99/65128) under 35 U.S.C. § 102 or in the alternative as

Applic. No. 10/539,761

Amdt. dated February 14, 2008

Reply to Office action of November 14, 2007

obvious over Zielke under 35 U.S.C. § 103. since claim 1 is allowable over Zielke, dependent claim 3 is allowable over Zielke as well.

In item 8 on page 6 of the Office action, claims 1-4 have been rejected as claiming the same invention as claims 1-3 of Zielke (U.S. Patent No. 6,627,831) under 35 U.S.C. §101.

The Zielke reference does not claim a mixture formed of granules having and increased conductivity with respect to second granules. Therefore, claims 1-4 are patentable distinct from claims 1-3 of the Zielke reference.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 5. Claims 1 and 5 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 5, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-7 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone

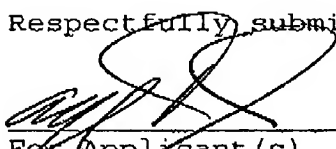
Applic. No. 10/539,761
Amdt. dated February 14, 2008
Reply to Office action of November 14, 2007

call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



For Applicant(s)

Alfred K. Dassler
52,794

AKD:cgm

February 14, 2008

Lerner Greenberg Stemer LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101